


FROM	TJA	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET			
	SUBJECT	CITY COUNCIL BILL #13-0207 / REZONING 900-920 E. FORT AVE. & 1421 LAWRENCE ST.			

TO

DATE:

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

May 22, 2013

At its regular meeting of May 16, 2013, the Planning Commission considered City Council Bill #13-0207, for the purpose of changing the zoning for the property known as 900-920 E. Fort Avenue and 1421 Lawrence Street from the M-3 Zoning District to the B-2-4 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #13-0207 and adopted the following resolution eight members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #13-0207 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliopé Parthemos, Deputy Chief for Economic and Neighborhood Development
 Mr. Alex Sanchez, Chief of Staff
 Ms. Angela Gibson, Mayor's Office
 The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
 Mr. David Tanner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Mr. Nicholas Blendy, DHCD
 Ms. Barbara Zektick, DOT
 Ms. Elena DiPietro, Law Dept.
 Ms. Karen Randle, Council Services
 Mr. Joseph R. Woolman, III



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 16, 2013

REQUEST: City Council Bill #13-0207/Rezoning - 900-920 East Fort Avenue and 1421 Lawrence Street

RECOMMENDATION: Approval

STAFF: Anthony Cataldo

PETITIONER: Solstice Partners, Inc.

OWNER: Same

HISTORY

- The Key Highway East Industrial Area Urban Renewal Plan was established by Ordinance 87-989, dated June 29, 1987
- The Key Highway Waterfront Study was approved by the Planning Commission on May 1, 2008, which includes the subject properties.
- On June 16, 2011, the Planning Commission recommended amendments and approval of CCB 11-0674 and CCB 11-0675 which amended the Key Highway URP and repealed the Key Highway East Industrial Area URP and replaced it with the Key Highway South URP.
- Ordinance 11-533 enacted on November 22, 2011 established the Key Highway South URP.

CONFORMITY TO PLANS

The Key Highway South Urban Renewal Plan proposes a change from industrial uses and envisions a mixed use community within its boundaries. This action is consistent with the URP which proposes the rezoning of the M-1-3 and M-3 parcels to B-2-4. The project is also consistent with the Comprehensive Master Plan's LIVE Section, Goal #1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents and Objective 2: Strategically Redevelop Vacant Properties throughout the City; Goal #2: Elevate the Design and Quality of the City's Built Environment, Objective One: Improve Design Quality of Baltimore's Built Environment.

SITE/GENERAL AREA

General Area: The Key Highway South URP area is generally from the intersection of Key Highway East extension and Key Highway north to the intersection of Clement St. and Key Highway. The properties included within the URP are those along the waterfront as well as landside beginning from Webster St. south to the alley between Woodall St. and Key Highway as it travels under the over pass. The properties within this zone had previously been of heavier industrial nature and now serve as a transition area between those existing industrial uses, the adjacent rowhouse communities, and the larger shopping center.

Site Conditions: The existing zoning for each parcel is M-3. 1421 Lawrence St. is approximately .0213 acres and 900-920 E. Fort Ave. is approximately 1.784 acres. Together they represent a development parcel of approximately 1.81 acres. 900-920 E. Fort Ave. was formerly owned by General Electric and is currently moving through the voluntary clean-up program to address the contamination on site.

ANALYSIS

Pursuant to the goals and objectives of the Key Highway South Urban Renewal Plan, industrial uses are no longer viable on these properties and they seek to be rezoned to B-2-4, a mixed use development district, in order to be redeveloped according to the approved plan.

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

- 1. The Plan:** The approved Key Highway South URP (Ordinance 11-533) outlines the change in this general area from that of industrial uses to mixed use development. The proposed action would facilitate redevelopment of a functionally and economically obsolete property into a neighborhood asset, a mixed-use retail and residential building with off-street parking. Within the URP, zoning recommendations were made in order to facilitate the greater City vision. These properties which are currently zoned M-3 and are no longer viable for today's industrial uses, are proposed to be rezoned to B-2-4.
- 2. The needs of Baltimore City:** Other industrially-zoned areas within the City provide opportunities for economically viable manufacturing use; this site has been vacant for many years and is no longer economically viable for that use.
- 3. The needs of the particular neighborhood:** For many years, these sites have not been used to their highest and best potential. Rezoning these parcels for redevelopment offers the ability to connect the two adjacent neighborhoods and create a dynamic gateway with local retail services and additional housing to meet local demand.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** There have been significant incremental increases in population in this area, causing a demand for additional commercially zoned properties in this area.
2. **The availability of public facilities;** Adequate public facilities exist in this area for a wide range of uses.
3. **Present and future transportation patterns;** The corner of E. Fort Ave. and Lawrence Street currently serves as a bus stop and this site has near direct access to I-95. Present transportation patterns are expected to remain generally the same within this area
4. **Compatibility with existing and proposed development for the area;** The proposed rezoning to B-2-4 is compatible with the existing and proposed zoning along the Key Highway Corridor and the type of uses established in the Planned Unit Development across E. Fort Avenue. The sites are adjacent to existing R-8 blocks but are separated by a bridge and underpass to the south and a very wide Right-of-Way (Lawrence St.) to the north from those R-8 uses. The Key Highway South URP also contains bulk and massing restrictions which provide scale and massing of proposed development to relate more seamlessly with the existing surrounding structures.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA has no objection to this bill.
6. **The relation of the proposed amendment to the City's plan.** Rezoning would be consistent with the Comprehensive Master Plan, and supportive of the goal of expanding housing choices for all residents, strategically redevelop vacant properties throughout the city, elevate the design and quality of the city's built environment, and improve design quality of Baltimore's built environment.

The City Council may grant the amendment to change the zoning classification based on a finding that there was: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification.

The proposed change is consistent with the intended character of the approved Key Highway South URP, while meeting the requirements of the Land Use article of the Maryland Code item (i) a substantial change in the character of the neighborhood where the property is located. The zoning change would assist meeting the numerous Comprehensive Master Plan goals, would convert a site no longer viable for industrial use to other uses for which there is demand, and allow the site to be converted to an asset serving two immediate neighborhoods and the residents of Baltimore at large.

Background: The petitioner intends to construct a mixed-use project containing 270-280 residential units, +/-14,000 SF retail, associated 420+ space parking structure, and +/-39,000 SF outdoor open space.

Community Input: The following community organizations have been notified of this action: Baltimore Development Corporation, Federal Hill Neighborhood Association, Federal Hill South Neighborhood Association, Friends of Federal Hill Park, Inc., Locust Point Civic Association, Inc., Riverside Neighborhood Association, Key Highway Community Association, Federal Hill Main Street, Inc., HarborView Properties Development Co., Baltimore Museum of Industry, General Ship Repair, Azola Building Services, Shapiro Company, Caves Valley Partners, General Electric, Obrecht Corporation, Downtown Sailing Center, Treadstone LLC, Little Havana, AB Associates, FHK Properties LLC, Key Harbor General Partnership, Baltimore Industrial Group, and the Maryland Port Administration.



Thomas J. Stosur
Director